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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,453	12/03/2003	Takeshi Takizawa	SON-2870	4032
23353	7590	01/10/2005	EXAMINER	
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				THOMAS, BRANDI N
		ART UNIT		PAPER NUMBER
		2873		

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/725,453	TAKIZAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brandi N Thomas	2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .      |

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Usui (6400902 B1).

Regarding claim 1, Usui discloses, in figures 2, 3, 5a, and 5b, a lens driver apparatus (1) comprising: a body (12) that is to be driven and to which a lens (11) is attached (col. 4, lines 57-59), a guide axis for guiding and allowing the body to move freely in a direction of an optical axis of the lens (col. 4, lines 61-65), a driving coil (13a-13d) being flatly wound and attached to the body (12) (col. 5, lines 38-39), and a driving magnet (31) being disposed opposite side of the driving coil (13a-13d) and along a direction of movement of the body (12) (col. 5, lines 62-67 and col. 6, lines 1-5), wherein the driving coil (13a-13d) and the driving magnet (31) are shaped in curved forms so as to conform to an outer shape of the lens (110 (figure 2, 5a, and 5b).

Regarding claim 2, Usui discloses, in figures 2, 3, 5a, and 5b, a lens driver apparatus (1), further comprising: a yoke (32) curved along a shape of the driving magnet (31) (col. 5, lines 27-28).

Regarding claim 3, Usui discloses, in figures 2, 3, 5a, and 5b, a lens driver apparatus (1), further comprising: a main yoke (32) and an opposite yoke (32a and 32c) that are disposed so as to face each other with having the driving coil (13a-13d) in between (col. 2, lines 11-16), and the main yoke (32) and the opposite yoke (32a and 32c) are curved so as to match an outer circumferential shape of the lens (figure 2).

Regarding claim 4, Usui discloses, in figures 2, 3, 5a, and 5b, a lens driver apparatus (1), wherein a plurality of the driving coils (13a-13d) are provided and disposed adjacent to one another along the moving direction of the body (12) to be driven (figure 3 and col. 2, lines 60-63).

Regarding claim 5, Usui discloses, in figures 2, 3, 5a, and 5b, a lens driver apparatus (1), wherein the driving coil (13a-13d) is disposed closer to the guide axis on the outer circumference of the lens (11) (figure 3 and col. 2, lines 60-63).

Regarding claims 6-10, Usui discloses, in figures 2, 3, 5a, and 5b, an image capture apparatus comprising: a lens driver apparatus (1), the lens driver apparatus (1) being disposed in a main casing (figure 1) of the image capture apparatus.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N Thomas whose telephone number is 571-272-2341. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*BNT*

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